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COPY OF PAPER

OPINION/DECISION

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision

FEB 04 2002

MAILED

TOTAL AMOUNT OF PAYMENT (\$) 130.00**Complete if Known**

Application Number	09/939,237
Confirmation Number	3412
Filing Date	August 24, 2001
First Named Inventor	Raul Victorino Nunes
Examiner Name	Not Yet Assigned
Group/Art Unit	1761
Attorney Docket No.	8270

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480

Deposit Account Name The Procter & Gamble Company

[X] Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION**1. BASIC FILING FEE – Large Entity**

Code	(\$)	Fee Description	Fee Paid
101	740	Utility filing fee	<input type="checkbox"/>
106	330	Design filing fee	<input type="checkbox"/>
108	740	Reissue filing fee	<input type="checkbox"/>
114	160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$) **2. EXTRA CLAIM FEES – Large Entity**

Total Claims	Extra Claims	Fee from Below	Fee Paid
Independent Claims	<input type="checkbox"/> - 20** = <input type="checkbox"/> x <input type="checkbox"/> = <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multiple Dependent	<input type="checkbox"/> - 3** = <input type="checkbox"/> x <input type="checkbox"/> = <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

** or number previously paid, if greater; For Reissues, see below

Code	(\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$) **3. ADDITIONAL FEES**

Code	(\$)	Fee Description	Fee Paid
105	130	Surcharge-late filing fee or oath	<input checked="" type="checkbox"/>
127	50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
139	130	Non-English specification	<input type="checkbox"/>
147	2,520	For filing a request for ex parte reexamination	<input type="checkbox"/>
112	920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
113	1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
115	110	Extension for reply within 1 st month	<input type="checkbox"/>
116	400	Extension for reply within 2 nd month	<input type="checkbox"/>
117	920	Extension for reply within 3 rd month	<input type="checkbox"/>
118	1,440	Extension for reply within 4 th month	<input type="checkbox"/>
128	1,960	Extension for reply within 5 th month	<input type="checkbox"/>
119	320	Notice of Appeal	<input type="checkbox"/>
120	320	Filing a brief in support of an appeal	<input type="checkbox"/>
121	280	Request for oral hearing	<input type="checkbox"/>
138	1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
140	110	Petition to revive - unavoidable	<input type="checkbox"/>
141	1,280	Petition to revive - unintentional	<input type="checkbox"/>
142	1,280	Utility issue fee (or reissue)	<input type="checkbox"/>
143	460	Design issue fee	<input type="checkbox"/>
122	130	Petitions to the Commissioner	<input type="checkbox"/>
123	50	Petitions related to provisional applications	<input type="checkbox"/>
126	180	Submission of Information Disclosure Statement	<input type="checkbox"/>
146	740	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
149	740	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
179	740	Request for Continued Examination (RCE)	<input type="checkbox"/>
169	900	Request for expedited examination of a design application	<input type="checkbox"/>
091	1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>

Other fee (specify) Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$) [130]**SUBMITTED BY**

Name (Print/Type)	Kelly L. McDow-Dunham	Registration No. (Attorney/Agent)	43,787	Complete (if applicable)
Signature	Kelly L. McDow-Dunham			Date November 28, 2001

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
 Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILED RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,237	08/24/2001 FEB 04 2002	Raul Victorino Nunes	8270

27752
THE PROCTER & GAMBLE COMPANY
PATENT DIVISION
IVORYDALE TECHNICAL CENTER - BOX 474
5299 SPRING GROVE AVENUE
CINCINNATI, OH 45217

CONFIRMATION NO. 3412
FORMALITIES LETTER



OC000000006821704

Date Mailed: 10/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11-28-01 NY

Kelly L. McDowell-Durham
Name of Attorney or Agent KLMD Registration No. 43,787
Signature of Attorney or Agent L. McDowell-Durham

P&G Case 8270

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :

RAUL VICTORINO NUNES, et al. :

Serial No. 09/939,237 : Group Art Unit: 1761

Confirmation No. 3412 : Examiner: Not Yet Assigned

Filed: August 24, 2001 :

For BEVERAGE COMPOSITIONS COMPRISING ARABINOGALACTAN AND DEFINED VITAMINS

COMPLETION OF FILING REQUIREMENTS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

[X] This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed October 1, 2001. A copy of the Notice to File Missing Parts of Application-Filing Date Granted (Form PTO-1533) is enclosed.

[X] No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

[] The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

[] The Provisional Application for Patent Cover Sheet (PTO/SB/16) that was filed was determined to be defective. A new cover sheet is attached.

[] This replies to the Notice to File Corrected Application Papers mailed ___. A copy of the Notice to File Corrected Application Papers is enclosed. To complete the informalities noted on the Notice to File Corrected Application Papers, applicant submits herewith:

[] New drawings complying with the size requirements (in compliance with 37 CFR §1.84);

[] Drawings of sufficient quality to readily use the patent application publication as a prior art document;

[] Specification of sufficient quality for optical character recognition (OCR) conversion of image to text;

[] Title and/or Abstract in compliance with 37 C.F.R. §1.72;

[] Sequence listings in compliance with 37 C.F.R. §1.821 *et seq.*

[] Other (please specify). ___.
1

[X] The Commissioner is hereby authorized to charge payment of the surcharge set forth in 37 CFR §1.16(e) to Deposit Account No. 16-2480. The Commissioner is also hereby authorized to charge payment of any patent application processing fees under 37 C.F.R. §§1.16 and 1.17 associated with this communication or credit any over-payment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.

[] The Commissioner is also hereby petitioned under 37 C.F.R. 1.136(a) to grant any extension of time needed for timely response to the Notice to File Missing Parts to preserve the pendency of the above-identified application. The processing fee under 37 C.F.R. §1.136(a) is as follows:

- [] \$110.00 for one-month extension of time;
- [] \$390.00 for two-month extension of time;
- [] \$890.00 for three-month extension of time.

The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Respectfully submitted,

By Kelly L. McDow-Dunham
Kelly L. McDow-Dunham
Attorney for Applicants
Registration No. 43,787
(513) 634-0102

Date: November 28, 2001

Customer No. 27752